



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,782	08/21/2001	Cornelius Wilhelmus Antonius Marie Van Overveld	NL000465	6741

24737 7590 04/21/2004

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

HIRL, JOSEPH P

ART UNIT	PAPER NUMBER
2121	14

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary**Application No.**

09/933,782

Applicant(s)VAN OVERVELD, CORNELIUS
WILHELMUS ANTON**Examiner**

Joseph P. Hirl

Art Unit

2121

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --***Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 07 April 2004.
2a) This action is **FINAL**. 2b) This action is non-final.
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-25 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) Claim(s) _____ is/are allowed.
6) Claim(s) 1-25 is/are rejected.
7) Claim(s) _____ is/are objected to.
8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
10) The drawing(s) filed on 21 August 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____.

DETAILED ACTION

1. This Office Action is in response to an AMENDMENT entered April 7, 2004 for the patent application 09/933,782 filed on August 21, 2001.
2. All prior office actions are fully incorporated into this office action by reference.
3. The claims and only the claims form the metes and bounds of the invention.

“Office personnel are to give the claims their broadest reasonable interpretation in light of the supporting disclosure. *In re Morris*, 127 F.3d 1048, 1054-55, 44USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. *In re Prater*, 415 F.2d, 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969)” (MPEP p 2100-8, c 2, I 45-48; p 2100-9, c 1, I 1-4). The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.
4. Examiner’s Opinion:

Para 3 above applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. The Examiner offers the applicant the opportunity to call the Examiner for an appointment to discuss the substance of this application prior to initiating a response.

Status of Claims

5. Claims 1-25 are pending in this application.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 1-25 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claims raises a question as to whether the claims is directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:
9. The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms

as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

10. Claims 1-25 are rejected under 35 USC 112, first paragraph because current case law (and accordingly, the MPEP) require such a rejection if a 101 rejection is given because when Applicant has not in fact disclosed the practical application for the invention, as a matter of law there is no way Applicant could have disclosed how to practice the undisclosed practical application. This is how the MPEP puts it:

("The how to use prong of section 112 **incorporates as a matter of law** the requirement of 35U.S.C. 101 that the specification disclose as a matter of fact a practical utility for the invention.... If the application fails as a matter of fact to satisfy 35 U.S.C. 101, then the application also fails as a matter of law to enable one of ordinary skill in the art to use the invention under 35 U.S.C. § 112."); In re Kirk, '376 F.2d 936, 942, 153 USIPQ 48, 53 (CCPA 1967) ("Necessarily, compliance with § 112 requires a description of how to use presently useful inventions, **otherwise an applicant would anomalously be required to teach how to use a useless invention.**"). See, MPEP 21107.01 (IV), quoting In re Kirk (emphasis added).

Therefore, claims 1-25 are rejected on this basis.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

10. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki (U. S. Patent 6,313,745, referred to as **Suzuki**).

Claim 1

Suzuki anticipates maintaining a clothing profile of the user (**Suzuki**, col 2, lines 10-23), detecting a piece of clothing being selected and updating the clothing profile based on said selection (**Suzuki**, col 2, lines 10-23), generating the recommendation from the updated clothing profile (**Suzuki**, col 2, lines 10-23) and providing the recommendation to the user (**Suzuki**, col 2, lines 10-23).

Claim 2

Suzuki anticipates user profiling means for maintaining a clothing profile of the user (**Suzuki**, col 2, lines 10-23), detection means for detecting a piece of clothing being selected (**Suzuki**, col 2, lines 10-23), coupled to the user profiling means (302) for updating the clothing profile based on the selected piece of clothing (**Suzuki**, col 5, lines 18-33), recommendation means for generating a recommendation from the updated clothing profile (**Suzuki**, col 6, lines 57-59), and presentation means for presenting the recommendation to the user (**Suzuki**, col 7, lines 4-9).

Claim 3

Suzuki anticipates determining a list of available pieces of clothing (**Suzuki**, col 7, lines 4-9), combining plural pieces from the list to form a collection of subsets, the recommendation comprising at least one subset from the collection of subsets (**Suzuki**, col 7, lines 4-7).

Claim 4

Suzuki anticipates the recommendation means is arranged to eliminate from the collection a number of subsets that are not suitable for a present situation (**Suzuki**, col 6, lines 60-67).

Claim 5

Suzuki anticipates wherein the user profiling means are coupled to smart card read/write means for maintaining the clothing profile stored on a smart card (**Suzuki**, col 5, lines 18-33).

Claim 6

Suzuki anticipates input means for determining a purpose for which the piece of clothing has been selected (**Suzuki**, col 2, lines 25-39), the user means being arranged for updating the clothing profile further based on the determined purpose (**Suzuki**, col 5, lines 18-33; col 8, lines 36-42).

Claim 7

Suzuki anticipates the input means is arranged to determine the purpose based on an appointment in an electronic calendar (**Suzuki**, col 8, lines 43-57).

Claim 8

Suzuki anticipates presenting a targeted clothing advertisement to a user, comprising obtaining a clothing profile for the user, determining a clothing product that matches the clothing profile, and sending an identifier of the clothing product to the user (**Suzuki**, col 6, lines 60-67; col 7, lines 1-9).

Claim 9

Suzuki anticipates generating a representation of the clothing product using the identifier and rendering the representation to the user (**Suzuki**, col 6, lines 60-67; col 7, lines 1-9).

Claim 10

Suzuki anticipates the clothing profile is obtained by reading the clothing profile from a smart card (**Suzuki**, col 5, lines 19-32).

Claims 11, 16

Suzuki anticipates maintaining an inventory of apparel possessed by the user (**Suzuki**, col 8, lines 43-67; Examiner's Note (EN): record of user's apparel (inventory) is maintained), determining one or more subsets of apparel from the inventory suitable for forming the ensemble (**Suzuki**, col 8, lines 43-67; EN: para 3 applies; subset is formed around past purchases), presenting at least one of the one or more subsets of apparel to the user (**Suzuki**, col 8, lines 43-67; EN: for displays, see Suzuki at Fig. 1).

Claims 12, 18

Suzuki anticipates determining the one or more subsets suitable for forming the ensemble is based on at least one of a user preference (**Suzuki**, col 8, lines 43-67), current fashion (**Suzuki**, col 9, lines 1-8), a dress code (**Suzuki**, col 9, lines 1-8), and prior selected ensembles (**Suzuki**, col 8, lines 43-67).

Claims 13, 19

Suzuki anticipates determining the one or more subsets suitable for forming the ensemble is based on at least one of; a dominant color of the ensemble (**Suzuki**, col 8,

lines 43-67), a color of each apparel in the subset (**Suzuki**, col 8, lines 43-67), a dominant style of the ensemble (**Suzuki**, col 9, lines 1-8), a time of year for wearing the ensemble (**Suzuki**, col 9, lines 1-8), a time of day for wearing the ensemble (**Suzuki**, col 9, lines 1-8), and current environmental conditions (**Suzuki**, col 9, lines 1-8).

Claims 14, 20

Suzuki anticipates determining the one or more subsets suitable for forming the ensemble includes at least one of: applying one or more rules (**Suzuki**, col 6, lines 51-67; col 7, lines 1-9; EN: AR engine has rules), determining one or more distances (**Suzuki**, col 8, lines 43-67; EN: AR engine has distances), determining one or more weights (**Suzuki**, col 8, lines 43-67; EN: AR engine has weights), and modifying parameters used for determining the one or more subsets based on prior user selections (**Suzuki**, col 8, lines 43-67; EN: to one of ordinary skill in the art, the AR engine modifies parameters).

Claim 15

Suzuki anticipates identifying an apparel item that is not in the inventory that would form another subset suitable for forming the ensemble if combined with apparel in the inventory (**Suzuki**, col 8, lines 43-67).

Claim 17

Suzuki anticipates at least some of the apparel includes a tag that identifies the apparel to the inventory system (**Suzuki**, Abstract).

Claim 21

Suzuki anticipates a network interface that is configured to facilitate receipt of advertisements for other apparel (**Suzuki**, Fig. 1; col 8, lines 43-67; EN: para 3 applies; advertisements is nothing more than representing a product for sale), the processor is further configured to filter the advertisements based on whether the other apparel forms another subset suitable for forming another ensemble if combined with apparel in the inventory (**Suzuki**, col 8, lines 43-67; EN: performed by the AR engine), and the display is further configured to present the another subset to the user (**Suzuki**, Fig. 1; col 8, lines 43-67).

Claim 22

Suzuki anticipates an input device that facilitates a purchase of the other apparel in the another subset by the user (**Suzuki**, Fig. 1; col 8, lines 43-67).

Claim 23

Suzuki anticipates a smart card read/write device, and wherein the processor is further configured to transfer some or all of the inventory of apparel to a smart card via the smart card read/write device (**Suzuki**, col 5, lines 18-32).

Claim 24

Suzuki anticipates the processor is further configured to transfer one or more user preferences to the smart card via the smart card read/write device (**Suzuki**, col 5, lines 18-32).

Claim 25

Suzuki anticipates the system is further configured to detect an initial selection of a first apparel item (**Suzuki**, col 8, lines 43-67), and the processor is configured to identify the one or more subsets based on this initial selection (**Suzuki**, col 8, lines 43-67),

Response to Arguments

11. The rejection under 35 U.S.C. 112, first paragraph, is withdrawn.
12. Applicant's arguments filed on April 7, 2004 related to Claims 1-25 have been fully considered but are not persuasive.

In reference to Applicant's argument:

The specification, and the claims, specifically recite a system and a method that provides recommendations to a user regarding the selection of a piece of clothing for the user. The cited prior art teaches a system and method for providing a recommendation to a salesperson regarding which piece of clothing to recommend to a user. Each of the Applicant's independent claims clearly distinguish the claimed user-system from the prior-art sales-system, as detailed below.

Examiner's response:

Para 3 above applies. Suzuki teaches a system and method for tracking and recognizing merchandise items taken into a fitting room by a customer for providing more efficient customer assistance (**Suzuki**, abstract). Suzuki does not teach "user" or "salesperson" but does teach store clerk and customer. The applicant does not define the term "user." Figure 1 illustrates Suzuki's system/method which is further explained in the related text (**Suzuki**, c 5, l 7-40). It is axiomatic that the reason for or purpose of a

system or method is to satisfy something or someone. Commerce is all about customers and their satisfaction. Hence, Suzuki anticipates customer satisfaction as the reason for the Suzuki system/method establishing the customer as the user of the system/method. The store clerk is the aid to the user or customer. For sure, there is no reason for having the Suzuki system/method if there are no customers or users. Suzuki's anticipates the customer as the user aided by a store clerk (Suzuki, c1, l 13-14). The Suzuki anticipates the applicant's user-system.

In reference to Applicant's argument:

Each of independent claims 1. and 2, upon which claims 3-7 depend, specifically recite a system and method, respectively, that provides recommendations to a user for the selection of pieces of clothing that match a clothing profile of the user.

The office action cites Suzuki's column 2, lines 10-23 for teaching providing recommendations to a user. The Applicant respectfully traverses this characterization of Suzuki. The text at Suzuki's column 2, lines 10-23, describes a user entering a fitting room of a store with merchandize items that contain tracking tags. Suzuki specifically teaches that the system "should display the fitting room number being utilized by a particular customer on an in-store display terminal accessible to a store clerk. The system should further display information on the items being tried on... [and] should process the style, brand, color, and price data of the items... and provide recommendations of other items... consistent with the customer's profile information." Suzuki's system is specifically structured as a sales-aid, for use by the store clerk; it does not provide recommendations to the user, as specifically claimed in each of claims 1 and 2.

The Applicant specifically claims a system that provides a recommendation for the selection of a piece of clothing for use by the user, with the specific limitation that the recommendation is provided to the user.

Examiner's response:

Para 3 above applies. See above discussion concerning "customer." The individual in the fitting room is the customer or user and the Suzuki system is supporting such customer. Suzuki specifically anticipates the claimed recommendations by the statement: "When used in combination with a customer identification card, the

recommendations provided by the system should also be consistent with the customer's profile information." (**Suzuki**, c 2, l 21-23)

In reference to Applicant's argument:

In claim 3, the Applicant claims forming a collection of subsets of combined pieces, and selecting one of the subsets for recommendation to the user.

Suzuki is silent regarding forming subsets from which one subset is recommended. The Office action cites Suzuki, column 7, lines 4-9, for teaching the creation of a list of available pieces of clothing, and column 7, lines 4-7 for forming the collection of subsets and recommending at least one subset from the collection of subsets. Suzuki column 7, lines 4-9 states: "information related to a brand being tried-on. The recommended items are bundled into a recommendation record 54 and transmitted to the in-store terminals 28-32 as part of the fitting room record. Based on the recommendation information, store clerks can render advice [to] customers in a more effective and efficient manner". As is clearly evident, Suzuki's column 7, lines 4-9 do not teach forming a collection of subsets of combined pieces, and does not teach selecting one of the subsets from the collection.

Examiner's response:

Para 3 above applies. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. To one of ordinary skill in the art, bundling represents assembly of sets of records or combination of subsets of combined pieces. As Suzuki asserts, the purpose of such bundling is to "render advice to customers in a more effective and efficient manner." (**Suzuki**, c 7, l 8-9)

In reference to Applicant's argument:

In claim 4, which is dependent upon claim 3, the Applicant claims the elimination of a subset from the collection of subsets when the subset is determined to be unsuitable for a present situation.

Suzuki is silent with regard to situation-dependent recommendations or eliminations. The Office action cites Suzuki, column 6, lines 60-67, for teaching the elimination of a subset from the collection of subsets, but the text at column 6, lines 6067 does not refer to eliminations, or collections, or subsets.

Examiner's response:

Para 3 above applies. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Suzuki states: "Once an entry for a particular product ID is found in the PLU table 180, the AR engine 40 retrieves the product's SKU code, style, color, and size information." (**Suzuki**, c 6, l 60-62) Hence, Suzuki has eliminated other product's from consideration...Suzuki selected one.

In reference to Applicant's argument:

In claim 6, the Applicant claims input means for inputting a purpose for which the piece of clothing has been selected, and providing the recommendation based on the purpose.

Suzuki is silent with regard to inputting a purpose for which the piece of clothing has been selected, and silent with regard to basing the recommendation on the purpose. The Office action cites Suzuki, column 2, lines 25-39 for this teaching. At the referenced text, Suzuki teaches that the input to the system is product identifiers, obtained from the tags that are attached to each item brought into the fitting room. "A processor... uses the product identifier to retrieve product profile information about the item, and recommends other items based on this [product profile] information" (Suzuki, column 2, lines 36-39).

Examiner's response:

Para 3 above applies. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Suzuki states: "A processor coupled to the interrogator unit uses the product identifier to retrieve product profile information about the item, and recommends other items based on this information." (**Suzuki**, c 2, l 36-39) The product profile provides the requested purpose that preceded the recommendation.

In reference to Applicant's argument:

In claim 7, which is dependent upon claim 6, the purpose for which the piece of clothing has been selected is based on an appointment in an electronic calendar.

Suzuki is silent with regard to inputting a purpose for the selection of clothing, and silent with regard to basing any decisions on a scheduled appointment. The Office action cites Suzuki, column 8, lines 43-57 for this teaching. At the referenced text, Suzuki describes the layout of the data in a customer's purchase

and trial history data. The described data does not include a purpose, and does not include an appointment.

Examiner's response:

Para 3 above applies. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. The complete history of customer store activity is identified in Fig. 9 of Suzuki which included the purpose of which was trying-on products which was recorded using tag information that includes date and time derived electronically (computer system).

In reference to Applicant's argument:

As noted above, Suzuki specifically teaches a sales-aid, wherein product information is sent to a store clerk to facilitate sales to a user. Suzuki is silent with regard to sending advertisements to a user. The Office action cites Suzuki, column 6, line 60 through column 7, line 9 for this teaching. At the referenced text, Suzuki specifically teaches sending any and all recommendations to the store clerk.

Examiner's response:

Para 3 above applies. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. See above discussion concerning "customer." Suzuki states: "...recommended from a stock information database 50 and a promotional information database 52 residing in the system's mass storage device (Fig. 1)."

(Suzuki, c 6, 64-67) Such information is provided to customers or users.

In reference to Applicant's argument:

In claim 9, the Applicant claims rendering a representation of the advertised item to the user.

Suzuki does not teach the rendering of representations of an advertised item, nor does Suzuki teach providing a rendering of anything to the user. The Office action cites Suzuki, column 6, line 60 through column 7, line 9 for this teaching. At the referenced text, Suzuki specifically teaches that "The recommended items are bundled into a recommendation record 54 and transmitted to the in-store terminals 28-32 as part of the fitting room record" (Suzuki, column 7, lines 4-7). These records are not said to contain renderings of representations of the recommended items.

Examiner's response:

Para 3 above applies. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Suzuki states: "...recommended from a stock information database 50 and a promotional information database 52 residing in the system's mass storage device (Fig. 1)." (**Suzuki**, c 6, 64-67) Such information is provided to customers or users. Claim 9 does not claim "renderings of representations of the recommended items." Claim 9, among other features, claims "rendering the representation to the user." "Rendering" means giving which, of course, Suzuki anticipates.

In reference to Applicant's argument:

Suzuki is silent with regard providing recommendations to a user, silent with regard to recommending an ensemble, and silent with regard to basing the recommendation for the ensemble on the user's inventory of apparel. The Office action cites column 8, lines 43-67 for these teachings. At the cited text, Suzuki teaches maintaining a record of the user's prior purchases and trial history "to better determine the customer's tastes... [and] uses a customer's purchase and trial history to eliminate items from the recommendation record if they have already been purchased or tried on by the customer. However, if a product that the customer has tried-on in the past but has not purchased is on sale, the brand analysis module 46 retrieves the product for recommendation to the customer." (Suzuki, column 8, lines 59-67.) Nowhere in this text does Suzuki mention forming an ensemble from items in the user's inventory; and, such a formation would be contrary to the expressed purpose of Suzuki's invention: facilitating the sale of items to a user. If an ensemble is formed from the user's inventory, the user has no need to purchase additional items.

Examiner's response:

Para 3 above applies. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. See above discussion concerning "customer." Suzuki at c 8, l 43-57, identifies the ensemble that was purchased...therefore, an ensemble had to be recommended and of course it would have to fit the customer's inventory...interest... or the customer would not have made the purchase. Such information is displayed by

Suzuki in Fig. 9 and described at c 8, l 43-57. Further and as noted in Suzuki's abstract: "...the recommendation information is also based on the customer's profile and past trial and purchase history information."... or in other words, the customer's inventory. Suzuki' anticipates the applicant's invention.

In reference to Applicant's argument:

The Office action also asserts that Suzuki's records of prior sales to the user constitute the Applicant's claimed inventory of apparel possessed by the user. The applicants respectfully traverse this assertion. Although there may be some items of apparel common to both the records of prior sales and the inventory of apparel possessed by the user, the record of prior sales may include items that are no longer possessed by the user, and inventory will include items possessed by the user that are not included in the records of prior sales, such as gifts, and items purchased elsewhere.

Examiner's response:

Para 3 above applies. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. The issue is not one of duplication or incompleteness. The issue is one related, however remotely, to the customer's inventory. From this perspective, the applicant agrees with the Examiner that Suzuki anticipates the applicant's invention.

Conclusion

13. The prior art of record and not relied upon is considered pertinent to applicant's disclosure.

- Tavor et al, U.S. Patent 6,070,149
- Bowman-Amuah, U.S. Patent 6,697,824
- Katz et al, U.S. Patent 6,055,513
- Bowman-Amuah, U.S. Patent 6,427,132

14. Claims 1-25 are rejected.

Correspondence Information

15. Any inquiry concerning this information or related to the subject disclosure should be directed to the Examiner, Joseph P. Hirl, whose telephone number is (703) 305-1668. The Examiner can be reached on Monday – Thursday from 6:00 a.m. to 4:30 p.m.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Anthony Knight can be reached at (703) 308-3179.

Any response to this office action should be mailed to:

Commissioner of Patents and Trademarks,

Washington, D. C. 20231;

or faxed to:

(703) 746-7239 (for formal communications intended for entry);

or faxed to:

(703) 746-7290 (for informal or draft communications with notation of "Proposed" or "Draft" for the desk of the Examiner).

Hand-delivered responses should be brought to:

Application/Control Number: 09/933,782
Art Unit: 2121

Page 18

Receptionist, Crystal Park II

2121 Crystal Drive,

Arlington, Virginia.



Anthony Knight
Supervisory Patent Examiner
Group 3600

Joseph P. Hirl

April 16, 2004